

REMARKS

Claims 1-6, 8, 9, 11-13, 25, and 26 are pending in this application. By this Amendment, claims 1-6, 8, 9, 11, and 12 are amended; claims 7 and 10 are canceled; and claims 25 and 26 are added. Support for the amendments to the claims may be found, for example, in the claims as originally filed and in paragraphs [0024], [0058], [0059], and [0093] of the specification. No new matter is added.

In view of the foregoing amendments and following remarks, Applicant respectfully requests reconsideration and allowance.

I. Rejections Under 35 U.S.C. §103

The Office Action rejects claims 1-5 and 7-11 under 35 U.S.C. §103(a) over U.S. Patent No. 6,162,293 to Kijima et al. ("Kijima") in view of Nibou et al., Chemical Fabrication SrBi₄Ti₄O₁₅ Thin Films, 19 Journal of European Ceramic Society 1383 (1999) ("Nibou"). The Office Action also rejects claims 6, 12, and 13 under 35 U.S.C. §103(a) over Kijima and Nibou, in view of EP000877100 to Desu et al. ("Desu ") or U.S. Patent No. 6,303,391 to Hintermaier et al. ("Hintermaier"). Because these rejections are related, they are addressed together. By this Amendment, claims 7 and 10 are canceled, rendering their rejection moot. As to the remaining claims, Applicant respectfully traverses the rejections.

Either separately or combined, the applied references would not have rendered obvious at least the thin film capacitance element of claims 1, 3-5, and 12 comprising "a dielectric thin film including a bismuth layer compound having a c-axis oriented vertically" and "a lower portion electrode ... oriented in a [100] direction."

Independent claims 1, 3-5, and 12 would not have been rendered obvious by the applied reference combinations. Claims 2, 6, 8, 9, 11, and 13 depend from claims 1 or 12 and, thus, also would not have been rendered obvious by the applied reference combinations. Accordingly, Applicant respectfully requests reconsideration and withdrawal of the rejections.

II. New Claims

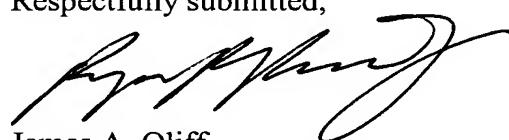
By this Amendment, new claims 25 and 26 are presented. New claims 25 and 26 depend from claim 1 and, thus, distinguish over the applied references for at least the reasons discussed above with respect to claim 1. Prompt examination and allowance of new claims 25 and 26 are respectfully requested.

III. Conclusion

In view of the foregoing, Applicant respectfully submits that this application is in condition for allowance. Applicant earnestly solicits favorable reconsideration and prompt allowance of the application.

Should the Examiner believe that anything further would be desirable to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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